

ROBERT HAWKINS #131159
CHAPTER 7 TRUSTEE
1849 NORTH HELM, SUITE 110
FRESNO, CALIFORNIA 93727
(559) 255-0555

Chapter 7 Trustee

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In the Matter of

VICTOR PASNICK,

Case No. 15-13932-B-7F
DC No. RHT-11

**TRUSTEE'S MOTION FOR
AUTHORIZATION TO SELL REAL
PROPERTY AND PAY ORDINARY
COSTS OF SALE AND REAL ESTATE
COMMISSIONS**
(11 U.S.C. §363)

Debtor.

Date: March 1, 2017
Time: 9:30 a.m.
Dept: B

TO THE HONORABLE RENE LASTRETO, II, UNITED STATES BANKRUPTCY

JUDGE:

Robert Hawkins respectfully represents:

1. He is the duly appointed, qualified, and acting trustee for the above-entitled estate.
2. The above-captioned case was converted to a proceeding under Chapter 7 on or about October 7, 2015, and an order for relief was entered. Robert Hawkins was appointed Chapter 7 Trustee on or about October 7, 2015.
3. This Court has jurisdiction over this proceeding by virtue of 28 U.S.C. Section 1334(b) and (d), Section 157(b)(2)(N), and 11 U.S.C. Sections 363. This is a core proceeding.
4. Among the assets of this estate is real property commonly known as 2121 East Simpson Avenue, Fresno, California, with a fair market value of approximately \$98,600.00.

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1 5. The Trustee has obtained an offer from Levon Zoklan to purchase the real property
2 for the total sum of \$98,600.00 cash.

3 6. The Trustee has agreed to pay a commission to Guarantee Real Estate in the amount
4 of six percent (6%) of the purchase price in connection with the sale.

5 7. . The Trustee reviewed the Preliminary Report which indicates that the property is
6 subject to a lien secured by a deed of trust in favor of Carol Breckenridge, a pending court action by
7 Ray Bergman, and delinquent property taxes totaling \$651.18. Carol Breckenridge released her
8 interest in the subject property as part of a prior compromise approved by this Court. The Trustee
9 is informed and believes that the court action by Ray Bergman has been dismissed. The Trustee is
10 further informed and believes that the property is subject to a lien secured by deed of trust in favor
11 of Chase in the amount of approximately \$21,547.61. After payment of the secured lien, property
12 taxes, and commissions, and escrow costs, the Trustee expects the net proceeds from the sale to be
13 approximately \$68,000.00.

14 8. Said offer is the best and highest offer received for the property and, in the opinion
15 of the Trustee, said offer is for the full and fair market value of the property. Said sale is subject to
16 higher and better offer in increments of \$1,000.00.

17 9. The Trustee believes that confirmation of the sale on the terms set forth above is in
18 the best interest of the creditors of this estate and all parties in interest.

19 **WHEREFORE**, the Trustee prays that, after appropriate notice and opportunity to be heard,
20 he be authorized to sell the above-described asset to Levon Zoklan, or nominee, for the total sum of
21 \$98,600.00, subject to higher and better offer at the hearing on confirmation of said sale, and that
22 the Court authorize the payment of ordinary sale costs as contemplated by the parties in order to
23 close escrow.

24 **DATED:** FEBRUARY 2, 2017

25 /S/Robert Hawkins
26 ROBERT HAWKINS,
27 Chapter 7 Trustee
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